



September 1, 2022

Jonathan Bender
Chairperson
Advisory Neighborhood Commission 3E
c/o Lisner-Louise-Dickson Hurt Home
5425 Western Avenue, NW
Washington, D.C. 20015

Dear Chairperson Bender:

Thank you for Advisory Neighborhood Commission (ANC) 3E's detailed resolution, received on August 10, 2022, requesting that the Alcoholic Beverage Regulation Administration (ABRA) make improvements to the licensing and oversight process for medical cannabis facilities. Our agency looks forward to working with ANC 3E and other ANCs in making substantive changes that will improve and provide greater clarity to the permitting of medical cannabis retail facilities in the District of Columbia. Below are some of the actions being undertaken by ABRA and the Alcoholic Beverage Control Board (ABC Board) to improve the licensing and oversight process, including the process for receiving and reviewing input from affected ANCs.

1. ANC comment period

To allow for greater community input, ABRA and the ABC Board support moving toward a 45-day public comment period for ANCs. Along these lines, ABRA and the ABC Board have requested that the Council increase the statutory comment period for ANCs from 30 days to 45 days. Additionally, the ABC Board intends to propose changing the ANC public comment period from 30 days to 45 days by rulemaking prior to the end of 2022.

2. Continuance requests

The current medical cannabis regulations do not contain any flexibility or procedures related to requesting, considering or approving a continuance request. The ABC Board intends to propose rules prior to the end of 2022 establishing a process for continuance requests from ANCs to be considered and approved by the ABC Board.

3. Increasing the role of ANCs

ABRA and the ABC Board have asked the Council to statutorily increase the role of ANCs, similar to the current alcohol process, with regard to the permitting of medical cannabis retail facilities. This would allow an

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affected ANC to file a protest or enter into a settlement agreement with a proposed medical cannabis retail facility.

4. Dispensary renewal applications

The ABC Board intends to propose by rulemaking in 2022 that all dispensaries that file a renewal application by December 2023 also be required to undergo an ANC public comment period. This will provide affected ANCs with an additional opportunity to provide comment on licensed dispensaries operating in their ward.

5. ANC Great Weight Requirement

ABRA and the ABC Board believe strongly in ensuring that ANCs receive great weight. Along these lines, ABRA has asked the Council to statutorily remove the current scoring system and increase the role of ANCs similar to the current alcohol process.

6. Proximity to Schools and Underage Access

ABRA and the ABC Board intend to take into account the proximity of proposed medical cannabis facilities to schools, including middle and high schools, consistent with D.C. Code § 7-1671.06(g) and Title 22-C of the District of Columbia Municipal Regulations prior to an application's approval. With regard to underage access, ABRA will be checking licensed dispensaries to verify that patients that self-certify through the temporary registration process that purchase medical cannabis are twenty-one (21) years of age and older.

Thank you once again for ANC 3E's thoughtful comments.

Sincerely,

Fred Moosally
Director
Alcoholic Beverage Regulation Administration